

**NEVADA DEPARTMENT OF
CONSERVATION & NATURAL RESOURCES**

STATE ENVIRONMENTAL COMMISSION

HEARING ARCHIVES FOR

REGULATORY PETITIONS

COMMISSION PETITION NO. 93001

LEGISLATIVE COUNSEL BUREAU (LCB) FILE NO. R-044-93

DOCUMENTS INCLUDED IN THIS FILE:

YES SECRETARY OF STATE FILING FORM

YES DISCLOSURE STATEMENT PURSUANT TO NRS 233B

REGULATORY PETITIONS

ORIGINAL DRAFTED BY COMMISSION

ADOPTED BY COMMISSION

YES AS FILED AND CODIFIED BY LCB

Secretary of State
Filing Data

**For Filing Administrative
Regulations**

For Emergency
Regulations Only

Effective Date _____

Expiration Date _____

Governor's Signature

**Environmental
Commission**

Classification [] Proposed [] Adopted By Agency [XX] Temporary [] Emergency []

Brief description of action: SEC Petition 93001 (LCB R-044-93) permanently amends NAC 445.724 to change the visible emission standard for coal fired steam generating facilities with a heat input of more than 7936 million BTU's per hour which existed prior to 1972. The amendment modifies Southern California Edison's Mohave Generating Station (Laughlin) air quality opacity requirements.

Authority citation other than 233B: NRS 445.461

Notice date:

Temporary - November 9, November 11, November 24, November 29 and December 4, 1992

Permanent - August 24, September 8 and September 16, 1993

Hearing date:

Temporary - December 10, 1992

Permanent - September 22, 1993

Date of Adoption of Agency:

Temporary - December 10, 1992

Permanent - September 22, 1993

**LEGISLATIVE REVIEW OF ADOPTED REGULATIONS AS REQUIRED
BY ADMINISTRATIVE PROCEDURES ACT, NRS 233B.066
PETITION 93001
LCB R-044-93**

The following statement is submitted for adopted permanent amendments to Nevada Administrative Code Section 445.

1. A description of how public comment was solicited, a summary of public response, and an explanation how other interested persons may obtain a copy of the summary.

Petition 93001 was noticed six (2) times: 11-11-92, 11-24-92, 12-4-92, 8-24-93, 9-8-93 and 9-16-93 in the Las Vegas Review and Reno Gazette-Journal newspapers and three (3) times: 11-9-92, 11-29-92 and 12-4-92 in the Mohave Valley News.

2. A description of how comment was solicited from affected businesses, a summary of their response, and a explanation how other interested persons may obtain a copy of the summary.

Comments were solicited from affected businesses by the notices in the newspapers, as outlined in #1. No written comment was received prior to the hearing.

3. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.

This was previously a temporary regulation adopted on December 10, 1992.
The permanent regulation was adopted at the SEC hearing on September 22, 1993. Public comments from Southern California Edison resulted in minor technical changes and clarifications to the permanent regulation.

4. The estimated economic effect of the regulation on the business which it is to regulate and on the public. These must be stated separately, and each case must include:

- (a) Both adverse and beneficial effects: and
- (b) Both immediate and long-term effects.

- a. The adopted amendments to the NAC are expected to have an economic impact on the Southern California Edison Company. Southern California Edison will incur initial capital expenditures as well as long term operational costs. The anticipated costs will not pose an economic hardship or adverse effects to the Southern California Edison Company.
- b. The adopted amendment may result in an increase in electrical utility bills to customers serviced by Mohave Generating Station.

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5. The estimated cost to the agency for enforcement of the proposed regulation.

This program is not expected to have any economic impact upon the Division as staff are currently in place to enforce the regulations.

6. A description of any regulations of other state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary.

There are no other state or government agency regulations which the proposed amendments duplicate.

**CODIFIED PERMANENT REGULATION OF THE
NEVADA STATE ENVIRONMENTAL COMMISSION
LCB File No. R-044-93**

EXPLANATION--Matter in italics is new; matter in brackets [] is material to be omitted.

AUTHORITY: NRS 445.461

Section 1. NAC 445.724 is hereby amended to read as follows:

445.724 1. NAC 445.721 to 445.724, inclusive, apply to any coal-fired steam generating facility used to produce electricity with an equipment manufacturer's guarantee or demonstrated capability of more than $7,936 \times 10^6$ Btu ($2,000 \times 10^6$ kg-cal) per hour of heat input which existed before 1972.

2. Each coal-fired steam generating unit at a facility must **[have a continuous monitoring system to measure and record duct opacity with sensitivity restricted to the visual range of the light spectrum. The system must be in the duct between the air pollution control equipment used to remove particulate matter generated by the unit and the stack. The duct opacity must not exceed 40 percent averaged for any 1 hour in any duct. The 1-hour duct opacity must be determined by computing the average of 10 consecutive 6-minute periods.]** *not discharge any particulate matter which exceeds an average opacity of 40 percent for any 6-minute period contained in any hour as described in subsection 3 and measured in the emissions stack of the facility.*

3. *The opacity of the particulate matter (described in subsection 2 must be calculated for each of the 10 consecutive 6-minute periods contained in each hour) must be averaged over each 6 minute period and recorded 10 times per hour. The initial 6-minute period for each hour must begin on the hour. The average opacity for each 6 minute period must be recorded after the expiration of that period.*

Sec.2. NAC 445.724 is hereby amended to read as follows:

445.724 1. NAC 445.721 to 445.724, inclusive, apply to any coal-fired steam generating facility used to produce electricity with an equipment manufacturer's guarantee or demonstrated capability of more than $7,936 \times 10^6$ Btu ($2,000 \times 10^6$ kg-cal) per hour of heat input which existed before 1972.

2. Each coal-fired steam generating unit at a facility must not discharge any particulate matter which exceeds an *average* opacity of ~~[40]~~ 30 percent for any 6-minute period contained in any hour as *described in subsection 3 and* measured in the emissions stack of the facility.

3. The opacity of the particulate matter [described in subsection 2 must be] *must be averaged over each 6 minute period and recorded 10 times per hour* [calculated for each of the 10 consecutive 6-minute periods contained in each hour]. The initial 6-minute period for each hour must begin on the hour. The *average* opacity for each 6 minute period must be recorded after the expiration of that period.

Sec.3. Section 2 of this regulation becomes effective on April 1, 1994.

END OF PETITION 93001 (LCB R-044-93)